

AO 91 (Rev. 11/11) Criminal Complaint

U.S. DISTRICT COURT - N.D. OF N.Y.  
**FILED**  
 NOV 06 2023  
 for the 0'CLOCK  
 Northern District of New York - Syracuse

## UNITED STATES DISTRICT COURT

UNITED STATES OF AMERICA

v.

Katherine ALONSO-Rodriguez and Manuel  
ROQUE-Ayala

Defendant.

Case No. 8:23-MJ-650 (TWD)

**CRIMINAL COMPLAINT**

I, the complainant in this case, state that the following is true to the best of my knowledge and belief. On or about the date(s) of November 5, 2023, in the county of Clinton in the Northern District of New York the defendants violated:

*Code Section*

8 U.S.C. § 1324(a)(1)(A)(ii)

*Offense Description*

The Defendants, knowingly and in reckless disregard of the fact that aliens have come to, entered, or remained in the United States in violation of law, did transport, move and attempt to transport and move, such aliens within the United States by means of transportation or otherwise in furtherance of such violation of law.

This criminal complaint is based on these facts:

☒ Continued on the attached sheet.
  
 Complainant's signature

U.S. Border Patrol Agent Adam M. Matott

Printed name and title

Attested to by the Affiant in accordance with Rule 4.1 of the Federal Rules of Criminal Procedure.

Date: Nov. 6, 2023
  
 Judge's signature
City and State: Syracuse, New York

Hon. Thérèse Wiley Dancks, U.S. Magistrate Judge

Printed name and title

*Continuation Sheet, United States v. Katherine ALONSO-Rodriguez and Manuel ROQUE-Ayala.*

This criminal complaint is based on the following facts:

On November 4, 2023, at approximately 9:15 p.m., Burke Border Patrol Agents (BPAs) were notified by Swanton Sector Radio Dispatch (KAD640) of a Buckeye camera activation, showing what appeared to be individuals entering the U.S. illegally near Lost Nation Road in Churubusco, NY.

On November 5, 2023, at approximately 3:00 a.m., BPAs encountered a blue Toyota 4-Runner bearing Ohio license plates, traveling westbound on US Highway 11 (US 11) in Chateaugay, NY. BPAs commonly encounter out-of-state registered vehicles in smuggling events, because the driver typically isn't from the immediate area. BPAs observed that the vehicle's right taillight was out and it appeared to be uncertain as to where it was going. It signaled left, slowed down, and appeared to be pulling into a Sunoco convenience store, but then redirected westbound on US 11 and turned south on County Route 23. Approximately three minutes later, BPAs encountered the vehicle traveling back eastbound on US 11. BPAs were positioned in Chateaugay, which is well lit with streetlights, and were able to observe multiple subjects in the vehicle as it passed their location.

Due to the time of night, the earlier Buckeye camera activation, the presence of an out-of-state registered vehicle in a commonly used area for human smuggling, the driver's suspicious driving behavior, and the observation of several people inside the vehicle, BPAs performed a vehicle stop on US 11 near Dick's Country Store. BPAs approached the vehicle, identified themselves as such, and could immediately detect the strong overwhelming odor of marijuana. Upon visual inspection of the occupants, the female driver appeared nervous as she was fumbling with her car keys. BPAs questioned each occupant as to their citizenship and immigration status. The driver, identified as Katherine ALONSO-Rodriguez, claimed to be a U.S. citizen, while mumbling and stuttering when speaking to the BPA. The front seat passenger, identified as Manuel ROQUE-Ayala, just stared forward as though he was either nervous or in a trance due to influence of a narcotic. When asked his citizenship and immigration status, ROQUE-Ayala claimed to be a U.S. citizen. The three rear-seat passengers were wearing wet and dirty clothing and shoes. When asked their citizenship and immigration status, all three rear-seat passengers claimed to be Mexican citizens with no legal right to be in the U.S. All three rear-seat passengers freely admitted to crossing the border illegally earlier in the night.

At that time, all five subjects were arrested and transported to the Burke Border Patrol Station for records checks, interviews, and processing.

At the station, biographical information and fingerprints were entered into Department of Homeland Security databases for all five subjects. Record checks confirmed information previously gathered roadside.

ALONSO-Rodriguez was read *Miranda* rights, and agreed to speak to agents without a lawyer present. In her interview, ALONSO-Rodriguez stated she was contacted about picking up a friend in need and bring them to Buffalo, NY. ALONSO-Rodriguez stated she was going to be paid \$2,000.00 and have gas and food expenses reimbursed for the trip. ALONSO-Rodriguez stated she was in communication with the male rear-seat passenger before picking up the three passengers. ALONSO-Rodriguez stated she suspected something weird was going on with this trip. ALONSO-Rodriguez stated she previously picked up three people near the border and brought them to Columbus, Ohio, and was paid \$2,500.00 for that trip. ALONSO-Rodriguez asserted that ROQUE-Ayala had nothing to do with anything, but a subsequent search of phones of the rear-passengers indicated that they had been instructed to pay ROQUE-Ayala for their transport. ALONSO-Rodriguez provided agents consent to search her phone, which revealed an extensive conversation with "Gustavo", whose phone number ended in 2443.